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Attorney Docket No. A-1-9

Application No.: 10/621,839

**CERTIFICATION OF FACSIMILE TRANSMISSION**

In connection with U.S. Patent Application of **PHILIP E. EGGERS et al.**, Application No. **10/621,839** filed **July 16, 2003**, I hereby certify that the following **Response to Non-Compliant Amendment** is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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Dated:

Nov 15, 2004  
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On Nov. 15, 2004By Mitchell Nitzely

Mitchell Nitzely

PATENT

Attorney Docket No.: A-1-9

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

PHILIP E. EGGERS et al.

Application No.: 10/621,839

Filed: July 16, 2003

For: METHODS FOR ELECTROSURGICAL  
TISSUE TREATMENT BETWEEN SPACED  
APART ELECTRODES (AS AMENDED)

Examiner: Lee Cohen

Art Unit: 3739

**RESPONSE TO NON-  
COMPLIANT AMENDMENT**Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Non Compliant Amendment mailed October 25, 2004,  
for which a response is due November 25, 2004. Accordingly, this response is timely filed.  
Applicant has met the requirements of 37 CFR 1.121 by inserting "Claims 1-51 (Cancelled)" in  
the Amendments to the Claims section.